

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEITH L. MARIS *et al.*,

Defendants.

2:10-cv-01337-RCJ-NJK

ORDER

Before the Court is Defendant Keith L. Maris's Motion to Vacate Calendar Call and Trail (ECF No. 239). Mr. Maris requests that the February 19, 2015 Calendar Call as well as the March 2, 2015 Jury Trial be postponed so that a certified speech interpreter may be assigned to assist him. Mr. Maris has a permanent disability resulting from severe smoke inhalation that inhibits his prolonged speaking capacity. Presumably, the interpreter would speak for Mr. Maris when he is unable to sufficiently project his own voice for the Court and the jury to hear.

The Motion is denied. The Court is cognizant of Mr. Maris's condition, but it fails to see how a continuance of the hearing or the appointment of an interpreter would be beneficial in this case. First, an interpreter will not be helpful if Mr. Maris is unable to speak. An interpreter interrupts; she does not speak on a party's behalf. If Mr. Maris's condition acts up and he is unable to speak at a particular point during the hearing or the trial, an interpreter would not solve the problem. If Mr. Maris is concerned with his ability to be heard by the jury, the Court is

1 confident that the courtroom's audio system will adequately amplify his voice for all to hear.
2 Mr. Maris does not appear to suffer from a speech impediment or anything of the like; rather, he
3 seems to only have difficulty breathing and suffers from a restricted airway. (*See Medical*
4 *Records, ECF No. 239, Ex. 3*). Thus, if a microphone is unable to register what Mr. Maris is
5 saying, then an interpreter would likewise have difficulty.

6 Further, if at any point during either the hearing or the trial Mr. Maris is unable to speak
7 or needs to rest his throat, the Court will certainly call a short recess and provide him with a
8 break. The Court finds that there is no reason to either postpone the hearing and trial or to
9 appoint a certified interpreter.

10 **CONCLUSION**

11 IT IS HEREBY ORDERED that Mr. Maris's Motion to Vacate (ECF No. 239) is
12 DENIED.

13 IT IS SO ORDERED.

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15 DATED: February 13, 2015

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18 ROBERT C. JONES
19 United States District Judge
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